

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

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UNITED STATES OF AMERICA

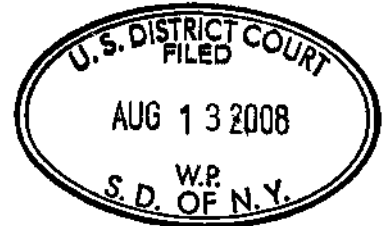
- v. -

JAMES FOX,

Defendant.
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INFORMATION

08 Cr. 749



COUNT ONE

The United States Attorney charges:

1. From in or about January 2001 through in or about April 2008, JAMES FOX, the defendant, did embezzle, steal, purloin, and knowingly convert to his use and the use of another, and without authority, sell, convey, and dispose of any record, voucher, money, and thing of value of the United States and of any department or agency thereof, and any property made or being made under contract for the United States and any department or agency thereof, to wit, JAMES FOX took approximately \$150,316 in Social Security disability benefits that did not belong to him.

(Title 18, United States Code, Section 641 & 2.)

FORFEITURE ALLEGATION
AS TO COUNT ONE

2. As a result of committing the offenses alleged in Count One of this Information, JAMES FOX, the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, constituting or derived from proceeds obtained directly or indirectly as a result of the social security disability benefits fraud.

a. At least \$150,316 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the offense, to wit, Social Security disability benefits fraud.

Substitute Asset Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

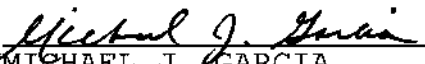
(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 and
Title 28, United States Code, Section 2461.)


MICHAEL J. GARCIA
United States Attorney